STATE OF CALIFORNIA BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY DEPARTMENT OF BUSINESS OVERSIGHT

TO: Daniel Esquivel 2775 North Ventura Road, Suite 102 Oxnard, California 93036

DESIST AND REFRAIN ORDER (For violations of Financial Code section 50002, subdivision (d))

The Commissioner of Business Oversight (Commissioner) finds that:

- 1. Daniel Esquivel (Esquivel) is, and was at all relevant times herein, an individual employed or working on behalf of Golden Empire Mortgage, Inc. (Golden), a residential mortgage lender and servicer licensed by the Commissioner pursuant to the California Residential Mortgage Lending Act (Fin. Code § 50000 et seq.) (CRMLA). Golden has its principal place of business located at 1200 Discovery Drive, Suite 300, Bakersfield, California 93309. Golden has 57 branch locations, including a branch located at 2775 North Ventura Road, Suite 102, Oxnard, California 93036.
- 2. Esquivel has engaged in business as a mortgage loan originator from in or about October 2016 through at least September 2017 as described below.
- 3. In or about June 2017, the Department of Business Oversight received information that Esquivel was engaging in mortgage loan origination activities. An investigation disclosed that Esquivel continuously represented to the public through the internet websites of Linkedin.com and Facebook.com postings that he was a mortgage loan originator by describing himself as a Mortgage/Marketing Production Partner with Golden; offering to discuss mortgage loan products offered through Golden; and providing a mortgage loan application link, which application described Esquivel as a mortgage loan originator for Golden.
- 4. A mortgage loan originator is an individual who for compensation or gain, or in the expectation of compensation or gain, takes a residential mortgage loan application or offers or negotiates terms of a residential mortgage loan.
 - 5. During the time set forth above, Esquivel was being compensated by Golden.

I	6.	Esquivel has not been issued a mortgage loan originator license by the Commissione
	authorizing hi	m to act as a mortgage loan originator under the CRMLA.

- 7. Esquivel is not exempt from the licensing requirements of Financial Code section 50002, subsection (d) and is not otherwise licensed as a mortgage loan originator under the provisions of the California Finance Lenders Law (Fin. Code § 22000 et seq.) and has not obtained a license endorsement from the Commissioner of Real Estate pursuant to Business and Professions Code section 10166.01 et. seq.
- 8. Financial Code section 50320 provides in pertinent part: "Whenever, in the opinion of the commissioner, a person is . . .engaging in business as a mortgage loan originator, without a license from the commissioner, the commissioner may order that person to desist and refrain."

By reason of the foregoing findings, the Commissioner of Business Oversight is of the opinion that Esquivel has engaged in business as a mortgage loan originator without having first obtained a license from the Commissioner in violation of Financial Code section 50002, subsection (d).

Pursuant to Financial Code section 50320, Daniel Esquivel is hereby ordered to desist and refrain from engaging in business as a mortgage loan originator in the State of California without first obtaining a license from the Commissioner or Department of Real Estate, or otherwise being exempt.

This Order is necessary, in the public interest, for the protection of consumers and is consistent with the purposes, policies and provisions of the California Residential Mortgage Lending Act. This order shall remain in full force and effect until further order of the Commissioner.

Dated: November 2, 2017 JAN LYNN OWEN
Los Angeles, CA Commissioner of Business Oversight

Mary Ann Smith
Deputy Commissioner
Enforcement Division